

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **HB 244** HLS 09RS 1154

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 23, 2009	6:15 AM	Author: ROY
Dept./Agy.: Corrections		
Subject: Intensive incarceration program		Analyst: Kristy F. Gary

CRIMINAL/PROCEDURE

EG DECREASE GF EX See Note

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Amends provisions of law regarding drug court

Proposed law provides that any defendant who has been placed on probation by the drug division probation program, and who has had his probation revoked for a technical violation of drug division probation as determined by the court, may be ordered to be committed to the custody of Department of Public Safety and Corrections (DPS&C) and be required to serve a sentence of not more than six months without diminution of sentence in the intensive incarceration program. Proposed law further provides that upon successful completion of the program, the defendant shall return to active, supervised probation with the drug division probation program for a period of time as ordered by the court, subject to any additional conditions imposed by the court and under the same provisions of law under which the defendant was originally sentenced. If an offender is denied entry into the intensive incarceration program for physical or mental health reasons or for failure to meet the department's suitability criteria, the department shall notify the sentencing court for resentencing.

EXPENDITURES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

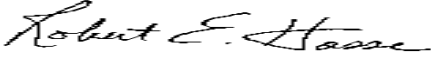
REVENUES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
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Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

To the extent the proposed legislation directs more offenders to the IMPACT (Intensive Motivational Program of Alternative Correctional Treatment) Program within the Department of Public Safety and Corrections (DPS&C), there could be a decrease in state general fund expenditures. Savings of \$54.53 per offender per day could be realized for those offenders sentenced to the IMPACT program, which is a 6-month intensive incarceration program, in lieu of being revoked to the custody of the department for an average of 2 years. After the offender completes the IMPACT program, proposed law provides the offender shall return to supervised probation for a period of time ordered by the court, which would offset the savings by \$2.51 per offender per day.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$500,000 Annual Fiscal Cost		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost	Robert E. Hosse
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease	LFO Staff Director